

REMARKS

Claims 1-6 have been canceled without prejudice and replaced by claims 7-14, which are currently pending. Reexamination and allowance of the pending claims is respectfully requested.

First, Applicant is submitting herewith the priority document.

Second, the specification has been amended to correct the typographical error.

Third, the Applicant has not amended the title because the current title is believed to accurately describe the present invention, which is a method for determining the position of an optic pick-up head, and a device for carrying out this method. Applicant is not averse to amending the title, and the Examiner is invited to suggest a more appropriate title if the Examiner believes that the existing title is still not accurate.

Fourth, the Examiner had required new drawings to be submitted to show the steps of reading sync signals, generating an averaged sync signal, and comparing the averaged sync signal, which were recited in claim 1. Claim 1 was also rejected under 35 U.S.C. Section 112, first paragraph, for the same reasons. In response, Applicant has canceled claim 1 and replaced it with a new claim 7 which is believed to be completely supported by the specification and FIGS. 3B, 4A, 4B and 4C of the drawings. In addition, the averaged sync signal is defined as the number of FRAMESYNCS per FODR (see page 7, lines 20-24 of the specification).

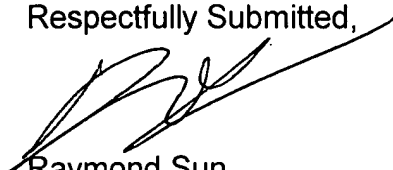
Fifth, the allowability of claim 6 is gratefully acknowledged. As a result, Applicant has presented new independent claim 14 which incorporates all the limitations of original claims 5 and 6. Thus, claim 14 is submitted to be in condition for allowance.

Sixth, claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by USP 6,137,757 to Kinoshita ("Kinoshita"). This rejection is respectfully traversed with respect to new claim 7.

New independent claim 7 recites, among other limitations, determining which section the pick-up head is located in based on the averaged frame sync signal, changing the position of the pick-up head, and repeating these two steps until the pick-up head is in the correct section of the disk. In contrast, these steps are not disclosed or suggested by Kinoshita. Thus, it is respectfully submitted that claim 7, and claims 8-13 depending therefrom, are allowable over Kinoshita and the other cited prior art.

Thus, all pending claims are submitted to be in condition for allowance. The Examiner is encouraged to telephone the undersigned if there are informalities that can be resolved in a phone conversation, or if the Examiner has any ideas or suggestions for further advancing the prosecution of this case.

Respectfully Submitted,



Raymond Sun
Attorney for Applicant
12420 Woodhall Way
Tustin, CA 92782
Tel: 949-252-9180

Dated: August 19, 2004

CERTIFICATE OF MAILING

I hereby certify that this paper and its enclosures are being deposited with the United States Postal service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Date: August 19, 2004

By: 

Raymond Sun